

# HOUSE BILL REPORT

## ESSB 6486

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**As Reported by House Committee On:**  
Labor & Workforce Development  
Ways & Means

**Title:** An act relating to collective bargaining for postdoctoral researchers at certain state universities.

**Brief Description:** Granting collective bargaining for postdoctoral and clinical employees at certain state universities.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Kohl-Welles, Conway, Chase, Keiser, Harper, Prentice, Nelson, Pridemore, Kline, Murray and Frockt).

**Brief History:**

**Committee Activity:**

Labor & Workforce Development: 2/17/12, 2/21/12 [DP];  
Ways & Means: 2/27/12 [DPA].

**Brief Summary of Engrossed Substitute Bill  
(As Amended by Committee)**

- Grants collective bargaining rights under the Public Employees' Collective Bargaining Act to postdoctoral and clinical employees at the University of Washington and Washington State University.

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### HOUSE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

**Majority Report:** Do pass. Signed by 8 members: Representatives Sells, Chair; Reykdal, Vice Chair; Green, Kenney, Miloscia, Moeller, Ormsby and Roberts.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Condotta, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Taylor and Warnick.

**Staff:** Alexa Silver (786-7190).

**Background:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Certain employees of institutions of higher education are covered for purposes of collective bargaining under the Public Employees' Collective Bargaining Act (PECBA), the Personnel System Reform Act (PSRA), or laws applicable to faculty members and academic personnel.

The PECBA applies to the following employees of institutions of higher education:

- certain employees who are exempt from civil service;
- certain teaching assistants and research assistants at the University of Washington and Washington State University;
- printing craft employees in the University of Washington's Department of Printing; and
- certain classified employees of technical colleges.

The PSRA applies to employees of institutions of higher education covered under the state civil service law.

Other collective bargaining laws apply to public four-year institutions with respect to faculty members, and to community colleges with respect to academic personnel. Postdoctoral and clinical employees are excluded from the faculty bargaining law.

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### **Summary of Bill:**

The Public Employees' Collective Bargaining Act applies to postdoctoral and clinical employees, as excluded from the faculty bargaining law, at the University of Washington and Washington State University.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

### **Staff Summary of Public Testimony:**

(In support) This bill is enabling legislation to allow postdoctoral researchers to collectively bargain. Postdoctoral researchers should be granted the same collective bargaining rights as teaching assistants, research assistants, and faculty. They want the protections they received as graduate students. Postdoctoral researchers, who carry out research under the supervision of faculty, are a valuable resource to the universities and to the state. The University of Washington and Washington State University are stellar research institutions that bring a great deal of money into the state through federal research grants.

(Neutral) The concerns with the original bill were addressed in the Senate, and the current version reflects consensus language.

(Opposed) None.

**Persons Testifying:** (In support) Senator Kohl-Wells, prime sponsor; David Parsons, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America Local 4121; Jessica Pikul, University of Washington; and Rebecca Johnson, Washington State Labor Council.

(Neutral) Margaret Shepherd, University of Washington.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass as amended. Signed by 16 members: Representatives Hunter, Chair; Darneille, Vice Chair; Hasegawa, Vice Chair; Carlyle, Cody, Dickerson, Haigh, Hudgins, Hunt, Kagi, Kenney, Ormsby, Pettigrew, Seaquist, Springer and Sullivan.

**Minority Report:** Do not pass. Signed by 11 members: Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Chandler, Haler, Hinkle, Parker, Ross, Schmick and Wilcox.

**Staff:** David Pringle (786-7310).

### **Summary of Recommendation of Committee On Ways & Means Compared to Recommendation of Committee On Labor & Workforce Development:**

A null and void clause was added, making the bill null and void unless funded in the budget.

**Appropriation:** None.

**Fiscal Note:** Available on original bill.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

### **Staff Summary of Public Testimony:**

(In support) Presently the state provides collective bargaining rights to faculty and teaching and research assistants. But degree-holding postdoctoral research employees are not able to collectively bargain. Our major research universities receive vast amounts of federal grants that support research projects. Along with these grants comes funding to support indirect administrative expenses. The administrative costs here may be able to support the costs of collective bargaining from this bill. Engrossed Substitute Senate Bill 6486 contains consensus language that has been agreed upon by the universities. The postdoctoral researchers work in a variety of positions, but this bill ensures the ability of these groups to

petition Public Employment Relations Commission (PERC) for recognition of collective rights. Postdoctoral researchers want the same rights to bargain that they had as a graduate students.

(Neutral) The language in the amended bill addresses some of the University of Washington's concerns. The cost depends on the size of the bargaining units and the complexities of administration. The PERC would be the determiner of size and scope.

(Opposed) None.

**Persons Testifying:** (In support) Senator Kohl-Welles, prime sponsor; Jessica Pikul, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America Local 4121; and Ariaah Kidder, University of Washington.

(Neutral) Margaret Shepherd, University of Washington.

**Persons Signed In To Testify But Not Testifying:** None.